

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO**

Amended Petition for Revocation of Supervised Release

Name of Offender: Sheldon Howe
Docket Number: 1084 1:18CR01579 -001MV
Assigned Judge: Honorable Martha Vazquez, United States District Judge
Date of Original Sentence: 09/04/2019
Original Offense: 18 U.S.C. 1153: Arson of a Dwelling, Crime in Indian Country
Original Sentence: BOP: 30 months; TSR: 5 years
Date Supervision Commenced: 05/27/2020
Date Supervision Expires: 05/26/2025
Other Court Action: 12/28/2020: A Petition for Revocation of Supervised Release was filed after the defendant submitted a positive urine test for methamphetamine and failed to reside at the residential reentry center.
05/12/2021: The Petition for Revocation of Supervised Release was held in a 6-month Abeyance period.

PETITIONING THE COURT

No warrant requested. Emergency warrant issued.

U.S. Probation Officer of the Court, Rachel Loya-Hobbs, alleges the offender has violated the following condition(s) of supervised release.

<i>Violation Type</i>	<i>Nature of Noncompliance</i>
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MC You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

On December 12, 2020, the defendant submitted a urine test that tested positive for amphetamine. The defendant admitted to consuming methamphetamine prior to his urine test.

AMENDED On June 20, 2021, the defendant was arrested and charged with Attempt to Commit a Felony, to wit: Breaking and Entering (Misdemeanor) and Concealing Identity (Misdemeanor), by the Raton Police department in Raton, New Mexico. According to the Statement of Probable Cause, a witness called law enforcement after they observed the defendant attempting to break into a local business, despite the business being closed. When the officer responded to the scene and contacted the defendant, the defendant provided the officer with a false name. However, the officer was later able to correctly identify the defendant. This case is currently pending in the Colfax County Magistrate Court Case No.: 21-0564.
MC

SPC

You must reside in a residential reentry center for a term of (up to) 6 months. You must follow the rules and regulations of the center.

On December 24, 2020, the defendant was observed leaving the Residential Reentry Center (RRC) in Albuquerque, New Mexico, without permission from the RRC staff. The defendant failed to return to the RRC, was subsequently declared an absconder, and terminated from the program.

This marks the defendant's first positive drug test for illegal controlled substances since 05/27/2020.

The maximum statutory penalty: 5 years imprisonment; 5 years supervised release.
The revocation range of imprisonment: 4 to 10 months.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on 06/21/2021.

Submitted:



Rachel Loya-Hobbs
U.S. Probation Officer
Cell #: (505) 366-3583

Approved:

Phone Approval

Allison Jaros
(505) 346-7274
Assistant U.S. Attorney

Date: 06/21/2021